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AUG 31 2005

Facsimile Cover Sheet

To: USPTO
ATTN: Examiner BRIAN Q. LE

From: Craig S. Fischer

Fax: (571) 273-8300

Pages: 26 (inclusive)

Re: Serial No.: 09/400,346
Filed: September 20, 1999
Attorney Docket No: MCS-058-99

Date: August 31, 2005

☒ **Urgent** ☒ **For Review** ☐ **Please Comment** ☐ **Please Reply**

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8

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on August 31, 2005

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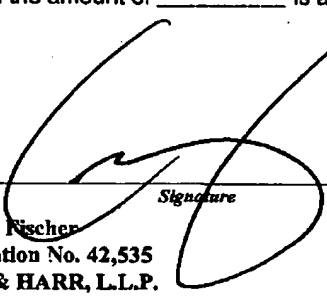
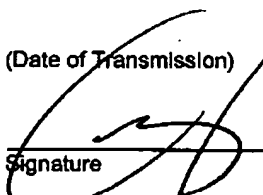
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This correspondence includes the following attached papers:

1. Facsimile Cover Sheet including Certificate of Transmission under 37 C.F.R. § 1.8 (1 page);
2. Amendment Transmittal Letter (1 page);
3. Amendment under 37 C.F.R. § 1.116 (24 pages).

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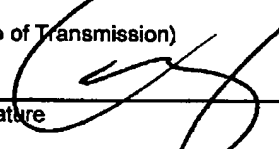
TRANSMITTAL LETTER (Large Entity)				Docket No. MCS-058-99	
Applicant(s): TOYAMA et al.					
Serial No. 09/400,346	Filing Date September 20, 1999	Examiner BRIAN Q. LE	Group Art Unit 2623		
Invention: SYSTEM AND METHOD FOR BACKGROUND MAINTENANCE OF AN IMAGE SEQUENCE					
<u>TO THE HON. COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	26 -	26 =	0 x	\$50.00	\$ 0.00
INDEP. CLAIMS	6 -	6 =	0 x	\$200.00	\$ 0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$ 0.00
<p><input checked="" type="checkbox"/> No additional fee is required.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ In the amount of _____ A duplicate copy of this sheet is enclosed.</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input type="checkbox"/> A Credit Card Payment Form (PTO-2038) for payment in the amount of _____ is attached.</p> <p> _____ Signature</p> <p>Dated: August 31, 2005</p>					
<p>Craig S. Fischer Registration No. 42,535 LYON & HARR, L.L.P. 300 East Esplanade Drive Suite 800 Oxnard, CA 93036-1274 TEL: (805) 278-8855 FAX: (805) 278-8064</p>					
<p>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8</p> <p>I hereby certify that this paper and every paper referred to therein as being enclosed is being facsimile transmitted to Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, TC2600 at (571) 273-8300</p> <p>on <u>August 31, 2005</u> (Date of Transmission)</p> <p>Craig S. Fischer By _____ Signature </p>					

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By Craig S. Fischer Signature 

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PATENT TRADEMARK OFFICE

PATENT
Attorney Docket No.: MCS-058-99
MSFT Matter No.: 128795.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: TOYAMA et al.

Serial No.: 09/400,346

Group Art Unit: 2623

Filed: September 20, 1999

Examiner: BRIAN Q. LE

For: **SYSTEM AND METHOD FOR BACKGROUND
MAINTENANCE OF AN IMAGE SEQUENCE**

AMENDMENT UNDER 37 C.F.R. §1.116

Mail Stop: AF
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P.O. Box 1450
Alexandria, VA 22313-1450
TC2600
Facsimile No.: (571) 273-8300

Sir:

In response to the final Office Action dated July 26, 2005, the Applicants respectfully request that this amendment be entered under 37 C.F.R. 1.116 to place the above-referenced application in condition for allowance or, alternatively, in better condition for consideration on appeal.

1 of 24